

REMARKS

The claims have been amended in a sincere attempt to place the case in condition for allowance; the nature of those changes will be discussed below.

The title has been changed to conform to that of the Declaration and Power of Attorney filed with the case. The USPTO had assigned the title from the corresponding PCT application.

Applicants request clarification with respect to the drawings filed December 7, 2001. The Office Action summary contained no mark in either the accepted or objected to boxes. Are the drawings acceptable?

The rejection of claims 1, 3, and 5 under 35 USC 102 as anticipated by Nakae et al. '432, JP '480, JP '649, JP '640, or Nagayoshi '995, if applied to the claims as amended, is respectfully traversed.

Claim 1 from which all other claims depend has been amended to recite the composition of the spheroidal graphite cast iron based upon the disclosure in the specification at page 7, lines 2 to 25, and Example 3. The claim also uses in that portion describing the ingredients of the spheroidal graphite cast iron the phrase "consists essentially of". The claims as amended thus patentably distinguish over the cited art.

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More particularly, Nakae et al. '432 calls for the presence of N in an amount of 0.003 to 0.02% in the spheroidal graphite cast iron of that invention. The present claims exclude nitrogen.

JP '480 requires the presence of Cr in an amount of 0.07 to 0.15% and Cu in an amount of 0.2 to 0.5% in that spheroidal graphite cast iron. Neither one of these compounds is recited in the instant claims.

JP '649 requires the presence of Mo in an amount of 0.4 to 0.6% in that spheroidal graphite cast iron. The instant claims exclude Mo.

JP '640 calls for its spheroidal graphite cast iron product to have Mn present in an amount of 0.5 to 0.7%, a range outside that in the present claims (0.05 to 0.45% by mass).

Nagayoshi '995 requires the presence of at least one Sn, Sb, and As in a total amount of 0.010 to 0.050% in its spheroidal graphite cast iron. The claims as amended exclude such components. The rejection should be withdrawn.

The rejection of claims 2, 4, and 6 to 10 under 35 USC 103 as unpatentable over Nakae et al. '432, JP '480, JP '649, JP '640, Nagayoshi '995 or JP '189 is also respectfully traversed.

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The Examiner will note that claim 2 has been amended to depend from claim 1 and the arguments presented with respect to the patentability of claims 1, 3, and 5 above apply with equal force here.

With respect to JP '189, applicants point out that the cast iron of the reference requires the presence of copper in an amount of 0.7 to 1.5% in the disclosed cast iron. The instant claims do not call for such a component. The rejection should be withdrawn as well.

In view of the foregoing revisions and remarks, it is respectfully submitted that claims 1 to 10 are in immediate condition for allowance and a USPTO paper to those ends is earnestly solicited.

The Examiner is requested to telephone the undersigned if further changes are required in the case prior to allowance.

Respectfully submitted,

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